

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,	:	Case No. 3:06-cr-95
		Also 3:16-cv-261
Plaintiff,	:	
- vs -	:	District Judge Walter Herbert Rice
	:	Magistrate Judge Michael R. Merz
	:	
RUBEN EDWARD RUSSELL,	:	
	:	
Defendant.	:	

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No. 25), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that Defendant's § 2255 Motion (ECF No. 20) be dismissed with prejudice for failure to state a claim upon which relief can be granted under 28 U.S.C. § 2255.

March 23, 2017.



Walter Herbert Rice
United States District Judge